THE WEEK

A SUMMARY OF NEWS AND EVENTS

IN SUMMARY

Mandatory Silence
A federal court has overturned a Tennessee law requiring that the school day begin with a minute of silence "for meditation or prayer or personal beliefs." **Story on Page 4.**

Mandatory Vaccinations
A law that exempted some Maryland students from state-required immunization against major diseases has been struck down because it gave preference to some religions. **Story on Page 4.**

Mandatory School-Finance Equity in Michigan
The claim of 22 districts that the state's finance formula is unconstitutional because it relies so heavily on property taxes is dismissed, but the districts say they'll appeal. **Story on Page 4.**

When E. F. Hutton Talks . . .
A Colorado school district is using an innovative plan, developed by one of the nation's largest bond-counseling firms, to build new schools without holding a bond election. **Story on Page 6.**

A Successful Challenge to 'Exit' Tests
A Florida honor-roll student who failed her basic-skills graduation test has been awarded her diploma three years later under the terms of a court-approved settlement. **Story on Page 6.**

A Solution Becomes a Problem
An Illinois collective-bargaining law has caused so much confusion and dissatisfaction that the 10-year-old legislative battle that finally resulted in its passage is about to be resumed. **Story on Page 8.**

Highland Falls Versus Army
Its revenues reduced by cuts in the federal impact-aid program, a New York school district is demanding that the people who live and work at West Point pay tuition for their children. **Story on Page 9.**

Higher Education: Doubts About Costs and Benefits
A new poll reveals that Americans are worried about their ability to pay for a college education and fear that even a college degree may not help them get a job in hard economic times. **Story on Page 11.**

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FEDERAL

Checks in the Mail: Chapter I Funds Released by E.D.

The Education Department announced last Wednesday that by the end of last week it would have mailed approximately $150 million in special Chapter I funds to states.

The special allocation of funds for the education of disadvantaged children was ordered by the Congress when it passed a supplemental appropriations bill in September. The Congress approved the allocation in order to help solve a dispute that began when Secretary of Education Terrel H. Bell decided to base this year's Chapter I allocations on the basis of 1970 Census Bureau poverty statistics rather than those for 1980.

Eleven states and Puerto Rico, where the number of impoverished people increased over the past decade, sued Mr. Bell for making that decision, claiming that it would result in their loss of million of dollars in aid.

Attorneys representing those states in federal court said that they would withdraw their lawsuit if the special appropriation was passed.

P. Alistair MacKinnon, coordinator of federal education legislation for the New York state education department, said that receipt of the special payments "would solve 99 percent of the problem."

Mr. MacKinnon said that to his department's understanding, the legislation prevents states from using any of the special appropriation to cover state administrative costs, a situation that displeases the plaintiffs in the lawsuit against Mr. Bell.

He said the matter would probably come up during a hearing regarding the case, *Ambach* v. *Bell*, that is scheduled to be heard Oct. 22 in federal district court in Washington.

Disabled Students May Seek Damages, High Court Says

Handicapped students who believe their rights under the 1973 Rehabilitation Act have been violated may sue for monetary damages, the U. S. Supreme Court affirmed last week. In upholding a ruling by the U. S. Court of Appeals for the Ninth Circuit last February, the Court also held that students may not sue under the 1975 Education for All Handicapped Children Act.

The handicapped-children law, P. L. 94-142, requires schools to provide a free, appropriate education for handicapped children. Section 504 of the rehabilitation law prohibits discrimination against handicapped persons in federally funded programs.

The case, *Special School District of St. Louis* v. *Miener*, involved a student who sued the St. Louis special-education school district, seeking $524,000 because she was educated in a state hospital rather than in the school district's special-education program.

Both the school district and the parents of the student had sought Supreme Court review. The district asked the Court to rule against providing for monetary damages; the parents asked for permission to seek damages under both laws.

The case, which has never been decided on its merits, is being returned to lower court for trial.

NATIONAL

Electronics Firms Join Science Agency In Research Project

The National Science Foundation has selected 58 research teams to conduct experimental projects aimed at improving science and engineering education for students in high school and the early years of college.

The program will also enlist the aid of private industry. For 52 of the projects, five electronics companies will donate computer equipment for the researchers' use. The companies are: Radio Shack, the Atari Institute for Educational Action-Research, the Digital Equipment Corporation, IBM Corporation, and the Apple Education Foundation.

The federal science agency will provide $855,668 to the researchers, who will explore ways that computers and other "information-handling technologies" can help students learn science and engineering. All of the researchers are based at colleges or universities.

The five companies will donate equipment worth a total of $947,217 and will provide advice on how to use the computers most effectively. Each institution that will receive a grant is required to pay one-fourth of the project's costs.

Computer Company Donates Programs For Schools' Use

Commodore International Ltd., a leading manufacturer of personal computers, is making 656 educational computer programs for school use available at no charge.

The firm will distribute copies of the programs to large school systems and will make them available to all others. Public and private education groups will also be able to copy the software, the company said.

Also, Commodore's 800 computer dealers and 250 education-resource centers will be offered a complete set of the software for a "distribution charge" of $250 and will be urged by the company to make duplicates available free.

The programs, recorded on 50 disks, will also be distributed in Canada and Great Britain.

The package includes programs for English, French, geography, administration, business, games, history, mathematics, science, technology, computer use, and computer science.

The software donation was announced earlier this month at a news conference in New York. At the briefing, the firm gave a set of the programs to the United Nations International School in New York City.

Overseas Students Outscore U.S. Peers On Aptitude Tests

For the seventh consecutive year, students in the Department of Defense Dependents' Schools abroad scored higher on standardized college admissions tests than their counterparts in the United States.

The DODDS system operates 63 high schools in 20 countries for the children of military families.

The average among the 2,357 students who took the Scholastic Aptitude Test last year was 437 on the verbal section and 477 on the mathematics section.

The nationwide average was 426 verbal and 467 in mathematics.

On the American College Testing Program's college-entrance test, the A.C.T., 1,086 DODDS students scored 19.1 on the English-usage portion of the test, 18.6 on mathematics usage, 18.8 on social-studies reading, and 22.4 on natural-science reading.

Nationally, students scored 17.9, 17.2, 17.3, and 20.8 on corresponding sections.

Young Adults Favor Voluntary Service, Gallup Poll Finds

The idea of voluntary national service, supported over the years by some political and social leaders as an alternative to military conscription, apparently continues to find favor with those who would be affected by it. In the latest Gallup Youth Survey, 80 percent of young people between the ages of 18 and 29 said they endorsed the concept of a year's volunteer service either in the armed forces or in "nonmilitary work" in the United States or abroad.

When asked if they themselves would be interested in volunteering if such a program were in effect, 43 percent of the young men and women said yes; of these, 23 percent described themselves as "definitely" interested and 20 percent said they "might be." A total of 54 percent said they would not be interested in volunteering.

Among those who were definitely

No Bargain: Illinois Law Creates New Problems

Teachers' Unions and School Boards Ready for Another Legislative Battle in 1983

By Don Sevener
Special to Education Week

SPRINGFIELD, ILL.—A collective-bargaining law that took a decade to get through the Illinois legislature appears to be causing more problems for teachers and school boards than it solved.

Dissatisfaction with the legislation, which was approved last year, is so widespread that teachers' unions and other special-interest groups are preparing for yet another legislative battle over bargaining next year. The unions hope that the November election will bring additional pro-bargaining forces to the General Assembly so that they can press successfully for a more explicit, mandatory collective-bargaining bill.

The current law has left most people confused and almost everyone unhappy.

The legislation was approved in 1981 when the Illinois Education Association (I.E.A.) put its full weight behind it after 10 years of losing to legislators who were reluctant to "interfere" with the operations of local governments.

Under provisions of the bill, teachers seeking to form a bargaining unit can petition regional superintendents of schools to hold an election.

The law then provides that if the majority of a district's teachers vote to form a union, the union must be recognized by the local board of education—a clause that has touched off controversy, confusion, and a court case.

According to some school officials, the term "recognition" as used in labor law is commonly interpreted to mean mandatory bargaining.

School-board leaders and representatives of school administrators immediately sought clarification from Gov. James R. Thompson and legislative sponsors.

Governor Thompson insisted it was not a mandatory-bargaining law, as did pro-union sponsors in the House and Senate who told colleagues during debate on the measure that it was merely a bill to require representation elections, not collective bargaining.

At that point, as school districts were preparing for the 1981-82 school year, just about everyone agreed that the new law required only that an election be held and not that school boards negotiate contracts with teachers if they did not want to.

Problems Remained

But additional problems remained.

The law called for regional school superintendents to conduct the recognition elections.

But those superintendents—who are elected to office and who perform mainly bookkeeping functions—have little knowledge of or experience with labor law.

Nor was the new law of much help to them in that regard.

It authorized the regional officials to hold the elections but established no guidelines for carrying out that mandate.

So the legal staff of the state board of education called representatives of all interested parties together to come up with a set of regulations to govern how the elections would be handled.

Some of the state's 57 regional superintendents adopted the regulations and some did not, leaving the enforcement of the guidelines uneven and local school officials more confused than ever.

Into that legal chaos stepped the Quincy school district, whose officials were vehemently opposed to bargaining with teachers over a contract.

When teachers in the Mississippi River town petitioned for an election, the school board's attorney approached the county's state's attorney in mid-December seeking a legal opinion on whether an election had to be held at all if the board had no intention of bargaining with teachers.

The state's attorney passed the ball to Illinois Attorney General Tyrone C. Fahner, who issued an informal opinion that further muddied the picture, according to most observers.

According to Mr. Fahner, the law did not mandate collective bargaining.

He said, however, that if a school board did not object to collective bargaining before the recognition election was held, it had tacitly agreed to bargain with teachers once the election was concluded.

The Attorney General was then bombarded with complaints from school-board and state-board officials who claimed his interpretation was unsupported by any provision in the law.

"That was simply not correct," says Julia Quinn Dempsey, legal counsel to the state board of education. "That opinion simply confused things."

Meanwhile, the Wheaton school district in suburban Chicago went to court, hoping to get the law overturned as unconstitutionally vague.

The law was upheld by the circuit court and the case is now on appeal before an appellate court. Left in the legal limbo are several key questions for school boards and teachers' unions.

The issue of whether the law is permissive or mandatory remains unsettled. The procedures for holding recognition elections continue to vary from one area of the state to another. And even the constitutionality of the law awaits a definitive ruling.

So virtually everyone wants some changes made in the law.

"Some additional legislation is needed to make the law workable," Ms. Dempsey says. "It's only a 33-line law and the unions would have you believe it's the National Labor Relations Act."

Yet, some want more changes than others.

"We will continue to work for a comprehensive bargaining bill," says Reg Weaver, president of the I.E.A. "Bargaining is here to stay."

"Some districts feel they don't want to 'abdicate' responsibility or they may be fearful of the bargaining process so they refuse to participate," Mr. Weaver says.

But those are districts generally in rural areas or smaller communities.

According to a 1981-82 survey by the state board, about half the state's 1,009 school districts have signed, negotiated contracts for teachers.

Those districts employ about 85 percent of the teachers in Illinois.

Mr. Weaver says the major thrust of his "comprehensive" approach will be provisions forcing school boards to negotiate with teacher representatives and giving teachers the right to strike.

That is similar to a measure—initially proposed by the Illinois Federation of Teachers (I.F.T.)—which was approved by the Illinois House but died without a vote in the Senate.

Mr. Weaver says the I.E.A. will "work with anyone" to secure passage of mandatory bargaining legislation.

But he also acknowledges that "there is competition" between his organization and the I.F.T. to write the legislation.

Content Measured in 102 Books Published Since 1900

Attention to Evolution in Textbooks Decreasing, Study Says

By Alex Heard

A "significant" decline in the emphasis on evolution in high-school biology textbooks that began in the 1970's has continued so far in this decade, according to a researcher who has completed a study of how much space is devoted to evolution in 102 textbooks published between 1900 and 1982.

Gerald Skoog, chairman of the secondary education department in the college of education at Texas Tech University, says the decline is due largely to the response of publishers to a resurgence of "anti-evolutionist" feeling in the country.

"Some of the content that has been removed or shortened is a result of needed editing of textbooks that were written by committees," Mr. Skoog said. "However, it seems clear that the . . . recent de-emphasis of the coverage of evolution in the textbooks [is] mostly a result of the strenuous pressures anti-evolutionists have exerted upon publishers, authors, educators, and policymakers."

One publisher involved in producing science textbooks who did not wish to be named maintained that assessing the relative importance given to evolution in textbooks based strictly on word counts is an illogical and inefficient method.

The subject has received increased attention in recent years because of the growing support for creationism at the state and local level. Evolutionists have been stepping up their efforts to fight creationism in state cases such as the Arkansas creationism trial held last year and before local school boards that are being asked to weigh the relative merits of creationism and evolution.

Last summer, the role that textbooks play in the debate came into focus when a committee for the New York City schools rejected three textbooks for inadequately treating the subject of evolution.

Jerry Resnick, president of the National Association of Biology Teachers (N.A.B.T.) and a member of the New York committee, said he has "absolutely" observed a decrease in emphasis on—and number of pages devoted to—evolution.

"Publishers won't openly say they have reduced the number of pages but all you need to do is check," Mr. Resnick said.

Results Discussed

Mr. Skoog discussed his results last week at the N.A.B.T.'s annual meeting in Detroit during one of several sessions devoted to the topic of evolution and creationism.

Mr. Skoog and others, including N.A.B.T.'s executive director, Wayne A. Moyer, believe that textbooks are the best indicators of what is being taught in the classroom. "For most high-school teachers, the textbook *is* the curriculum," Mr. Moyer said.

Over the past several years, Mr. Skoog has counted the words devoted to each of 44 topics related to evolution in selected high-school biology textbooks. And he has traced the changes that have occurred in the treatment of those topics in successive editions of the texts.

Of his sample, Mr. Skoog writes, "No claim has been made that the sample of textbooks in this study includes all of the best sellers of this century."

But the researcher said last week that his study did include "most of the most popular textbooks" that have been used, as well as selections that were representative of the various choices available to teachers.

Of the 102 textbooks he examined, according to Mr. Skoog, 85 had specific chapters on evolution. In 53 of these, evolution was covered within the final quarter of the textbook. Often, Mr. Skoog said, teachers do not work through the entire text during the year.

"Creationism" or "catastrophism" (generally, the idea that the earth was created in a short time by a supernatural being) was included in nine of the 102 books. Six of the books including this topic were pub-

Continued on Page 13

Comparison of the Number of Words Written On the Topics Related to the Study of Evolution In Selected Textbooks, 1960-1982

	Textbook							
Year	1	2	3	4	5	6	7	8
1960				8,255				
1961	34,761	22,389	23,306					
1963	45,898	30,383	22,987	8,779				
1965				13,670				
1968	42,621	19,732	21,717		22,121			
1969				18,054				
1973	31,050	18,626	19,400	18,211				
1974					20,346			
1977				13,829	11,431			
1978		17,639						
1980	18,256		19,990					11,794
1981				12,807	4,314	11,381	16,019	
1982		17,878						

SOURCE: GERALD SKOOG

Key to Textbook Title:
1. BSCS* Yellow, Harcourt Brace Jovanovich
2. BSCS* Green, Rand McNally (1963, 1968, 1973, 1978 revisions), Houghton Mifflin (1982 revision)
3. BSCS* Blue, Houghton Mifflin (1963, 1968, 1973 revisions), Heath (1980 revision)
4. *Modern Biology*, Holt, Rinehart & Winston
5. *Biology*, Silver Burdett
6. *Experiences in Biology*, Laidlaw Brothers
7. *Biology*, MacMillan
8. *Biology*, Scott Foresman & Company

* Biological Sciences Curriculum Study

Americans View College as Path to Better Life

But Nationwide Poll Shows Deep Concern About Families' Ability To Foot the Bill

By Sheppard Ranbom

Americans still value higher education as the path to a better job and a richer life, according to a new poll. But they are concerned that even a college degree will not guarantee jobs during a recession, and they are increasingly worried about their ability to pay for college.

These are among the findings of the nationwide survey, which was conducted by an independent polling firm for 11 higher-education organizations and released as part of National Higher Education Week earlier this month.

To get a good job, the respondents said, a person must have a postsecondary education. But about two-thirds said that a person with a college degree is just as likely to be out of work in a recession as someone with only a high-school education.

Concerned About Costs

Over half of those who have plans to put their children through college said they were worried that they would not have the money to do so, while 34 percent said they were concerned but felt they would manage somehow. Only 11 percent said they were confident that they could afford a college education.

The survey of a representative sample of 1,188 adults was conducted for the higher-education groups by Group Attitudes Corporation of New York.

Respondents rated the high cost of a college education as the most important reason people choose not to go to college.

Those who never went to college, did not graduate, or who are in lower income brackets expressed greater support for the idea of universal access to higher education and for federal financial-aid programs than did college graduates and respondents with incomes of more than $40,000 a year.

Over 70 percent of those surveyed favor continued federal grants to low-income students, while over three-quarters said the government should keep providing low-interest loans to middle-class students.

Among major federal spending commitments, higher education ranked fourth behind health care and medical and energy research in terms of the number of respondents who thought they "should not be cut at all."

About 40 percent of respondents felt that aid to higher education should be cut back only slightly; 15 percent said it should be cut back drastically.

"In the vast expansion of higher education since World War II comes a little fat," the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, said at a briefing in Washington on the survey's findings. "If everything is being cut, we can be cut, and we could live with it somehow. We could stand with a little belt tightening . . . But the one thing people don't want to see cut is the money that would allow needy students to go on to higher education."

Father Hesburgh noted that there are 400,000 young people in inner cities who are unemployed and unemployable because they lack the basic skills to work. These youths cannot "recapture the promise of American life" without some support, he said.

Three-quarters of the respondents rated higher education in the United States as excellent or good.

When asked to assess the relative

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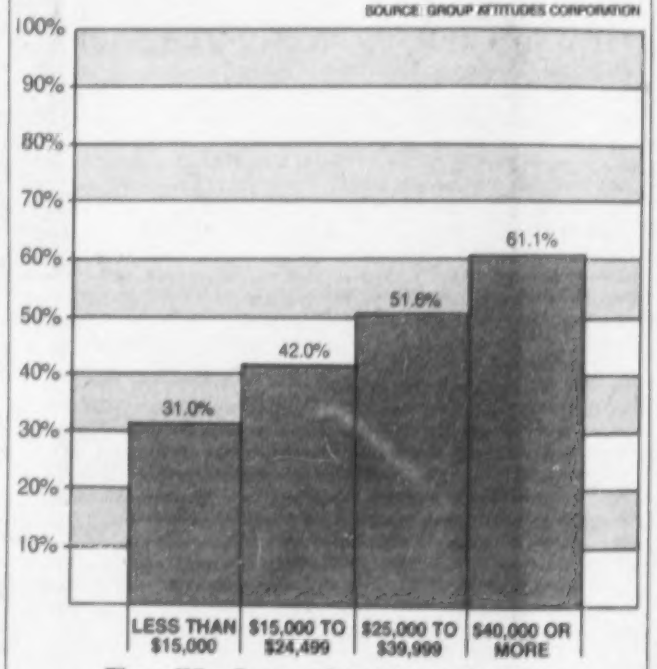
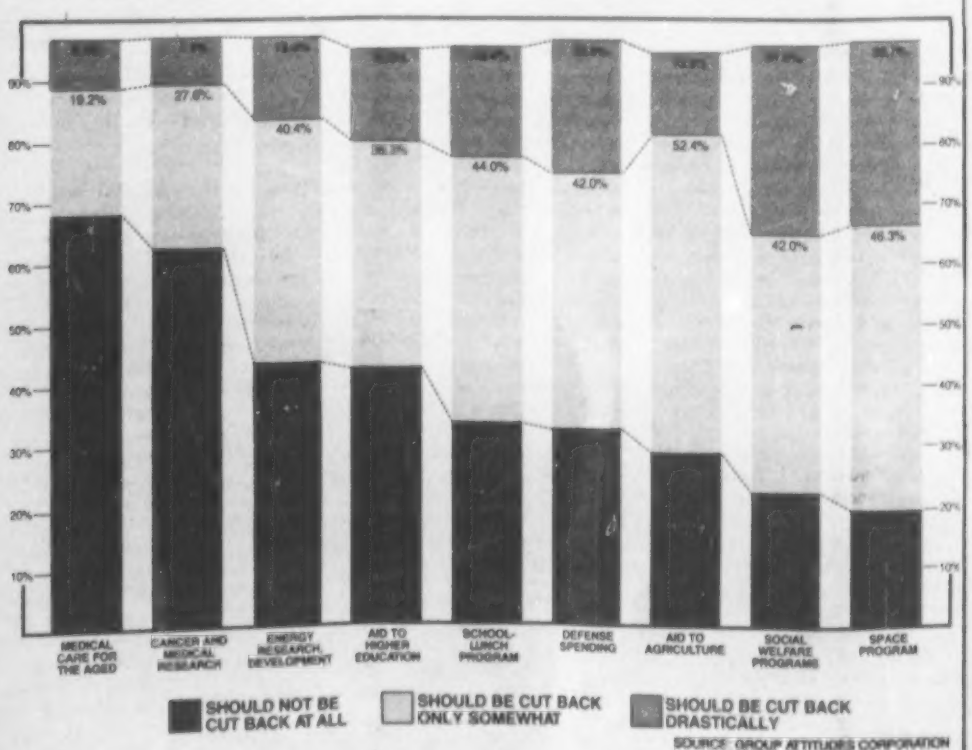


Those Who Support Cuts in Federal Aid for College Students, by Income



Those Who Favor or Oppose Various Federally Funded Programs

COLLEGES

Colleges and universities, like schools, have been struggling in recent years with what a new report calls "the ever-increasing role of outside agencies in campus matters."

That situation "is gradually wearing down internal governance structures," says the Carnegie Foundation for the Advancement of Teaching, which developed the report. As internal leadership is diminished, the foundation warns, power and initiative in directing the academic enterprise "flow even more rapidly to bureaucracies outside" educational institutions.

One villain, according to the report, is accreditation. The process of evaluating the quality of collegiate programs has lost credibility, says the foundation, because standards are not objective and because specialized agencies accrediting professional training activities are used "not to protect the public and promote excellence but to gain leverage in the competition for limited resources."

The report also argues that the most important governance issue of the future will be "the connection of higher education to the corporate world."

Copies of the report, *The Control of the Campus*, will be available in November from the Princeton University Press, 3175 Princeton Pike, Lawrenceville, N. J. 08648. The cost is $6.95.

□

On a recent Sunday, 20 college and university presidents held a highly unusual meeting in Washington to draft a proposal to tighten the academic-standards rules governing the participation of students in intercollegiate athletics.

The chief executives, representing most of the ranking "football powers" in the nation, agreed on tighter eligibility requirements for freshmen and stricter standards for the "academic progress" of student athletes. The presidents, who have often expressed embarrassment over the negative publicity generated by practices in big-time college sports programs, also want to have a stronger voice in the policymaking of the powerful National Collegiate Athletic Association.

□

The University of Pennsylvania plans to close its School of Public and Urban Policy because of declining enrollment and financial problems, President Sheldon Hackney has announced.

He said the 160 students currently enrolled would be able to complete their programs and the seven faculty members employed in the school would be transferred to other academic departments.

□

More faculty members are choosing early retirement, according to Thomas Edwards, chairman of the Teachers Insurance and Annuity Association, the nonprofit pension plan to which many college faculty members belong. In a speech late this summer to the National Association of College and University Business Officers, he cited the following statistics:

"In 1981, some 10,000 [faculty members] over age 55 started their annuity incomes. About half of them [47 percent] started at ages 64 to 66. And 30 percent started their incomes before age 64. This leaves only 23 percent starting benefits at the older ages; down from 28 percent five years ago."

□

A small private college in Florida that last January announced it would lower tuition for this year by 10 percent says it has nearly twice as many freshmen this fall as it had a year ago. The total enrollment at Biscayne College, its officials report, is up 52 percent, to 1,175 students. And tuition revenue, they say, is up by 8 percent, despite the lowering of last year's $3,700 cost.

□

A private publisher has announced it will take on a job the federal Education Department failed to obtain funds for this year: a directory of colleges and universities.

The Office of Management and Budget rejected the request of the National Center for Education Statistics to compile the annual listing, which has in the past included institutions' names, addresses, phone numbers, accreditation, enrollment, tuition rates, and administrators' names.

Higher Education Publications, the newly formed corporation that plans to undertake the job, will send out questionnaires to update the information in the government's most recent directory, for 1981-82. A spokesman said the new volume should be ready January 1. It will be about 500 pages long and cost $20.

An N.C.E.S. official said the agency's other higher-education surveys will be carried out as usual this year.

□

Several higher-education professional groups have collaborated to produce the most comprehensive assessment since 1970 of the quality of doctoral programs leading to careers in research at colleges and universities across the country. To be published in five volumes, the analysis covers 2,700 graduate programs in 32 disciplines at 228 universities—a group that collectively trains 90 percent of the Ph. D. candidates in those fields each year. The assessments involve 16 different measures, including program size, characteristics of graduates, library size, research support, and publication records, according to the sponsors.

The studies have provoked debate in the academic community. Some participants at the annual meeting of the Association of Graduate Schools this month said the measures of a program's "reputation" were flawed; others contended that any analysis of the kind could be charged with weaknesses and that the work represents the best available assessment techniques.

The first volume, on mathematics and physical sciences, is finished and may be purchased from the National Academy Press, 2101 Constitution Ave., N. W., Washington, D. C., for $10.50. Supported by several foundations, the studies are the work of the American Council of Learned Societies, the American Council on Education, the National Research Council, and the Social Science Research Council. —ed.

Justices Hear Tax-Exemption Case

Continued from Page 1

born, N. C. The university prohibits interracial dating and marriage between its black and white students; prior to 1971, blacks were banned outright from attending the university. The Goldsboro schools do not admit black students. Both institutions maintain that these policies are based on Biblical prohibitions against miscegenation.

The highly political nature of the case—which Senator Robert Dole of Kansas has called one of the Administration's "greatest political fumbles"—produced long lines of attorneys, religious officials, and supporters of the schools seeking admission to Tuesday's hearing. The two schools were well represented by Christian fundamentalists from around the country, who sported "I support Bob Jones" badges, and uniformed elementary-school students gathered on the steps outside the courtroom.

Declare Case Moot

William Bradford Reynolds, the assistant attorney general for civil rights, argued the case for the Reagan Administration. Because the Administration last January reversed its position against the schools and asked the Court to declare the case moot, the Court—at the request of civil-rights organizations—appointed a private advocate to argue in favor of the 1970 I.R.S. policy.

The Administration's about-face, which President Reagan said was based on a desire to prevent federal agencies from "governing by administrative fiat" rather than on a policy of fostering racial segregation, was resoundingly criticized by members of Congress, private-school associations, and civil-rights groups.

Controversy over the President's decision has continued since then, as the Administration's tuition tax-credit bill became bogged down in the Congress over disputes concerning the government's commitment to enforcing the bill's anti-discrimination provisions. The fate of that bill is now tied to the Court's decision in the tax-exemption case.

The disposition of the case is being carefully watched by the private-school community. Such schools depend heavily on exemption from payment of federal Social Security and unemployment taxes, as well as eligibility for tax-exempt contributions. The National Association of Independent Schools, an organization whose member schools maintain nondiscriminatory policies, filed a friend-of-the-court brief in support of the 12-year-old I.R.S. policy.

Most of the arguments in Tuesday's hearing involved the "intent of Congress" in enacting and amending the Internal Revenue Code, because the law itself does not specifically address racial discrimination. The law authorizes the exemptions for "organizations operated exclusively for religious, charitable, or educational purposes."

Although the I.R.S. until 1970 permitted tax exemptions for institutions such as Bob Jones University, the government changed its position by broadly interpreting the word "charitable" in its "common law" sense—that of providing for the good of society—rather than in a narrow sense of aiding the disadvantaged. Because federal laws had made racial desegregation a public-policy goal, the I.R.S. maintained at that time that providing a tax benefit to segregated schools was a means of subsidizing discrimination.

But Mr. Reynolds argued that the Reagan Administration "found no evidence that 'charitable' encompasses all purposes [in the statute]. Each purpose was to have an independent legal significance."

William G. McNairy, the attorney for the Goldsboro Schools, agreed, saying that an institution should be eligible for the tax exemption if it was educational but not necessarily charitable in the broader sense.

The remark drew a question from Associate Justice John Paul Stevens: "Would a school for pickpockets qualify?"

No, because "it is not organized for educational purposes," Mr. McNairy replied. "It would still be teaching them how to do it," the Justice said, drawing laughter.

William Bentley Ball, representing the university, asked the Court to reject "the notion that taxation will not necessarily be determined by an act of Congress but instead by a baroque super law invoked by administrators or judges." In citing public policy as the "ultimate criterion," the I.R.S. was violating the schools' First Amendment right to free exercise of religion, he maintained.

The arguments of the other three attorneys were rejected by William T. Coleman Jr., the attorney appointed by the Court to argue in favor of the 1970 I.R.S. policy. Mr. Coleman, a secretary of transportation during the Ford Administration, is chairman of the N.A.A.C.P. Legal Defense and Education Fund.

"The Constitution places no value on private racial discrimination and affords it no protections," he said. "When fundamental public policy is violated, a defense of religious belief is not available."

Associate Justice Lewis F. Powell asked whether the I.R.S. should be limited in its authority over granting tax exemptions. "Could it make the same policy with respect to sex discrimination?" he asked.

"We didn't fight a civil war over sex discrimination. . . . That's the one policy that is crystal clear," Mr. Coleman replied.

He maintained that Congressional action to amend the I.R.S. code to forbid tax exemptions for discriminatory social clubs, overruling a 1976 court decision, indicated implicitly that the Congress was satisfied with the I.R.S. policy regarding schools. He added that the Congress has rebuffed several attempts by its members to overrule the policy on private-school exemptions.

Americans View College Favorably

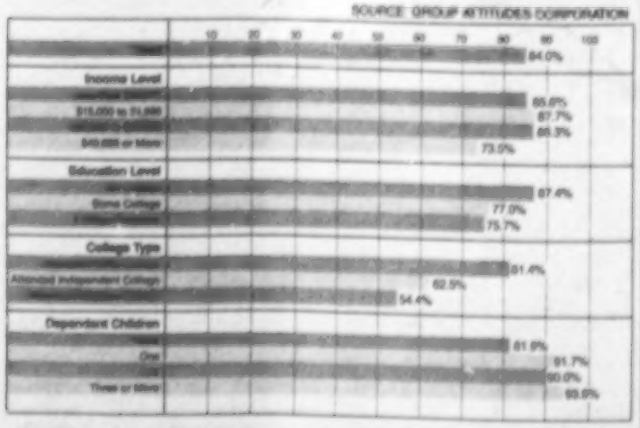
Continued from Page 11

importance of various characteristics of postsecondary education, the respondents reacted most favorably to "preparation for a career," "scientific research," and "adult education." "Pursuit of academic excellence," "academic freedom," and "free inquiry into controversial ideas" were rated as less important among the choices given, according to the survey.

If college curricula had to be cut back, the respondents would preserve programs in engineering, applied sciences, professional fields, and the hard sciences, and make substantial cuts in remedial learning programs, the fine and performing arts, and the humanities, the pollsters found.

Father Hesburgh lamented the fact that Americans rate the vocational aspects of education as more important than the humanistic ones. "In one sense, people are pragmatic, but perhaps they are too pragmatic," he said.

Copies of the report, *American Attitudes Toward Higher Education*, are available for $14 each from CASE Publications, Order Department, Box 298, Alexandria, Va. 22313.



Those Who Think the Chance to Attend College Should Be Extended To All Qualified Students

History Courses Need Strengthening, Commission Says

Continued from Page 1

ies, career education, citizenship, and the like may be valuable, they are not history.

- What history is included too often consists of "imposed values and meaningless facts."
- Many teachers lack adequate knowledge and understanding of history and rely on "innovations" in the hope of keeping students interested.

Underlying all these reasons for the "lamentable" state of history in the curriculum, the panel concludes, is one misapprehension. "The misconception is the persistent and pervasive notion that history is nothing but an aggregate of facts; the presumption is that mere knowledge of the facts—knowing them 'by heart'—will ensure the benefit of good citizenship."

Rather, the commission's report states, history is "essentially narrative, and that out of history's narrative dimension comes its creative power."

While the panelists point out that there are exceptions—some teachers excel at the teaching of history and some schools place a high value on its presence in the curriculum—the general state of the discipline in the schools is dismal, they say.

The schools' failure to include enough unadulterated history in the curriculum has broad implications, according to the panel.

A sound knowledge and understanding of history, its report argues, is "basic to all learning in every subject." By providing "a way of weaving together the threads of learning—current, traditional, analytical—into the whole cloth," history gives students a sense of continuity that they need to understand the world.

The study of history began to decline in the 1920's, according to the report, when educators became concerned that the schools were not meeting the needs of students who had to adjust to a rapidly changing society. "The aim has become to provide 'an integration of experience and knowledge concerning human relations for the purpose of citizenship education,' " the report says.

The decline in the rigor of teachers' preparation was a product of the new emphasis, the panel points out. "To carry out that intention, teachers' colleges and university schools of education raised up professional social studies educators who, over the years, have adapted social sciences for use in the schools, revised the treatment of history, and introduced a variety of new subjects."

As a result, teachers may be well grounded in the social sciences and "citizenship studies," according to the report, but lacking an understanding of the "story of a particularly creative sort" that is history.

Educator Awareness

The problems are solvable, the report continues, but only if educators become aware of how they are now teaching history. Much of the material now being used can and should be included, but only after it is modified.

One key change, the group suggests, would be to require teachers to have a solid background in history and the liberal arts. Teachers' training in history, the panel says, should include learning to write about history, studying the historical method, and learning the best methods to teach history. Once they have this basic knowledge, they should be required to continue studying—in inservice, preservice, and college-level courses—for the rest of their careers.

The amount of history that schools can provide is, the panel points out, limited by the enormous scope of the subject. "There is always more than history teachers can cover, however well prepared they may be, and no school should overreach its capabilities with a curriculum that is too ambitious," the authors write.

But they do describe an "irreducible minimum" of history that schools should provide, as well as a framework for teaching it.

"The irreducible minimum begins in the elementary grades by giving the [kindergarten through 6th-grade] student an acquaintance with the past through progressively sophisticated narratives," the group contends.

"What young children need," they write, "is acquaintance with the past. They need to become aware of the past, and to be helped not only to find it interesting, but to perceive it as real and credible."

For secondary-school students, the panel suggests a topical study of U. S. history, a survey of European history, and a survey of U. S. history. The two different approaches to American history, the panelists note, will allow students to remain interested in a subject that they have had before and will encourage them to develop a broad range of skills.

Beyond this "irreducible minimum," the panel recommends that secondary-school students take a course in the history of a nonwestern country or area.

In order to include these basic history courses, educators may have to eliminate other topics covered in social-studies classes, the report says. But it argues that "the implication of this suggestion is not that history should take over the social studies, although social studies courses of questionable worth might well give place." Which "add-ons" should be cut, however, is a controversial issue and is, the panel says, beyond the scope of its report.

The report, *Making History Come Alive*, is available for $5.50 from the Council for Basic Education, 725 15th St., N.W., Washington, D.C. 20005.

Boggs Academy

Continued from Page 5

harder to come by now, says Mr. Donchez. "We're focusing our efforts on individual Presbyterian churches around the country, on alumni, and on simply doing better marketing of Boggs to increase our enrollment. We don't receive any state or federal aid, of course, and tuition tax credits—if they pass—will be so small they really won't be that much use to the parents of our students."

Mr. Donchez adds: "Closing the doors is always a possibility, but we've come through more than 75 years now, and we won't give up easily."

A spirit of optimism prevails at Boggs, along with a closeness that is almost familial. As Ms. Wells walks across the carpeted inner aisle between classrooms in the main class building, a couple of girls run up to her. One throws an arm around Wells's waist and rubs a cheek against her shoulder. Another twirls a strand of hair at the nape of Ms. Wells's neck. "Get back to your classes, girls," the dean says gently. "I'm sure you have work to do."

High Court Will Hear Case on Sex Bias in Pensions

Continued from Page 1

tics for men and women.

If the Court rules against such tables in the *Norris* case, said one insurance-industry analyst, "every single person in the defined-contribution plans will be affected, regardless of whether or not there are even any women in an individual plan."

But since the type of coverage available to educators in state and local systems appears to vary widely, it is difficult to estimate how many nationwide could be affected.

A further complication, an executive with a major private insurance firm pointed out, is that some educators may have chosen to enroll in individual retirement-investment plans with insurance companies offered as a service through their school systems.

Such retirement-savings plans, though not administered by a state or school system, would nonetheless be affected by a Court decision opposing the current sex-based actuarial tables.

Several union officials and retirement consultants contacted last week said that they could not say with a great degree of certainty just how many retired teachers now receive annuity payments, but at least one indicated that the figure could be as high as 50 percent.

Nor were experts able to say with any confidence just how extensive the impact on teacher-retirement systems would be should the Court rule that such annuity plans are discriminatory. The American Council of Life Insurance, in a friend-of-the-court brief filed in the case, contends that a decision in favor of unisex annuity benefits would cost $2 billion per year. The council says that about 37,500,000 men and 16,600,000 women are involved in pension plans that could be affected.

Court-Ordered Remedies

Others suggest the impact would depend on a number of factors, such as the kinds of remedies the Court would order; when such remedies would become effective; and whether they would cover people now receiving benefits, people in the systems who have not yet retired, or those just joining such systems.

Spokesmen for the insurance industry were outspoken in their conviction that a ruling that discrimination exists would "revolutionize" the industry and could lead the whole retirement system in the U. S. into insolvency.

The lawsuit now facing Supreme Court review, *Arizona Governing Committee* v. *Norris*, was initiated by a female employee of the Arizona Department of Economic Security.

She charged in her lawsuit that use of the actuarial tables results in illegal discrimination because they reflect that women live longer than men. Because the tables reflect a longer life expectancy for women, she claimed, the insurance company managing the annuity plan for the state made smaller payments to women than to men, even though men and women pay equal amounts into the plan.

Attorneys representing the state and the insurance company argued, in part, that such a scheme is legal because male and female retirees, over the course of their lifespans, receive total annuity payments that are nearly equal.

A federal district judge in Phoenix and the U. S. Court of Appeals for the Ninth Circuit have ruled that use of the sex-biased tables does indeed violate federal laws barring sex discrimination in employment.

If those rulings are upheld by the Supreme Court, the state and the insurance company managing the annuity option will have to come up with funds to increase annuity payments for women or will have to reduce payments for male retirees.

According to the National Education Association, approximately 60 percent of the beneficiaries enrolled in the Arizona retirement system are former teachers. Officials for the national teachers' union did not know how many of those former teachers in Arizona participate in the annuity plan.

Several lawsuits involving allegations of sex discrimination in teacher-retirement programs have been percolating in the courts for several years now.

Among the more noteworthy are:

• ***Spirt* v. T.I.A.A.-C.R.E.F. and *Long Island University*.** The Teachers Insurance and Annuity Association and the College Retirement Equities Fund is currently petitioning the Supreme Court to hear this lawsuit along with the *Norris* case, according to Donald S. Willard, executive vice-president of the pension program.

A. Richard Belding, director of business services for the National Association of Independent Schools, said that "probably something like 80 or 90 percent" of the association's member schools in the East use the retirement-annuity plans offered by T.I.A.A.-C.R.E.F.

In addition, approximately 85 percent of all private colleges and 40 percent of all public colleges and universities in the nation use plans offered by the firm.

Overturn Verdict

T.I.A.A.-C.R.E.F. has asked the Supreme Court to overturn a verdict by the U. S. Court of Appeals for the Second Circuit, which ruled that the use of sex-based life-expectancy tables was in violation of Title VII.

The court said that T.I.A.A.-C.R.E.F. was an employer subject to equal-employment guidelines that do not discriminate between men and women, while the actuarial agency argued that it is an insurance company and not an employer of policyholders.

An important concern of T.I.A.A.-C.R.E.F. is that if the Supreme Court decides against the use of separate tables and asks actuarial firms to pay retroactive benefits, these benefits be paid from the time set by the court and not set back to 30 years earlier when a beneficiary began making contributions to the program.

• ***Probe* v. *California State Teachers Retirement System*.** This case is currently pending before the U. S. Court of Appeals for the Ninth Circuit, which ruled in favor of the state employee in Arizona's *Norris* case.

In *Probe*, sex-biased actuarial tables are also at issue. This case, however, was brought by a male teacher. The teacher claims that he has been unfairly forced to accept reduced pension payments in order to protect his wife's benefits should he die.

According to W. Ronald Brown, a retirement consultant for the California Teachers Association, "If a male names his wife as his beneficiary, he will receive approximately 79 percent of the maximum pension benefit allowable."

"On the other hand," Mr. Brown continued, "if a woman names her husband as her beneficiary, she will receive about 82 percent of the same maximum amount allowable."

Texts Less Attentive to Evolution

Continued from Page 8

lished after 1970, Mr. Skoog said.

Mr. Skoog found rising and falling attention to evolution in textbooks over the 81-year period he studied.

Prior to 1960, he said, textbooks' coverage of evolution was "brief, noncontroversial, and characterized by restraint," although he did find a continued increase in emphasis on evolution from 1900 to 1950.

In the 1950's, statements emphasizing evolution became less frequent in some books. The word "evolution" did not appear in eight of 14 textbooks Mr. Skoog examined for that decade.

Some statements about evolution were "toned down," he said, citing as an example the difference between statements on evolution in a 1938 biology textbook and those in the 1954 edition of the same book.

The first read: "Plants and animals have been changing and are now changing. No one acquainted with the facts doubts that evolution, or continued change in plants and animals, has taken place. No one has discovered a single fact to disprove the theory of evolution, and facts that establish it are abundant."

He compared this to the later edition's statement on evolution: "Biologists agree today that plants and animals have changed in the past, and continue to change."

During the 1960's—due largely to the appearance of textbooks produced by the Biological Sciences Curriculum Study (B.S.C.S.) in Colorado, the country's largest developer of biology texts and curriculum materials and an avowedly pro-evolution group—space devoted to evolution increased dramatically as measured by Mr. Skoog.

B.S.C.S. textbooks have treated evolution much more thoroughly than have other books, Mr. Skoog asserts. The 16 B.S.C.S. textbooks published since 1961 have included 39 percent of the approximately one million words on evolution and related topics in the 102 books he examined between 1900 and 1982, Mr. Skoog said.

In the 1970's, the overall coverage of evolution in biology textbooks was reduced, Mr. Skoog said, a pattern that has continued in the 1980's.

In addition to the decline in the total number of words devoted to evolution, the researcher pointed out, "word changes in the textbooks of the 70's resulted in many statements becoming less definite, more cautious, and thus less controversial than those appearing in earlier editions."

His latest work reveals a "continued erosion" in emphasis on evolution in the 1980's, he said.

"One biology textbook, published in 1981, did not use the word evolution or have a specific chapter on evolution. Material concerned with evolution was scattered throughout," Mr. Skoog said.

"Statements indicating that biologists support the validity of evolution have become very modest and almost nonexistent in textbooks published since 1980," he added.

Even the pro-evolution B.S.C.S. books, he said, now devote less space to the subject that they did in the 1960's.

William V. Mayer, now president emeritus of B.S.C.S. and a witness for the American Civil Liberties Union in last year's Arkansas creationism trial, said, "In our particular case, it doesn't have anything to do with outside pressures.

"The problem is one of space," he explained. "Textbooks run between 500 and 800 pages and ours are at the upper limit. When you get new materials you can't make the book bigger. All of the new material on human genetics, for example, had to have space made for it."

Blacks' S.A.T.'s Up

Continued from Page 6

overall disparity in scores reflects an educational deficit which the nation must overcome."

"The increase in scores for most minority groups also coincided with an increase in the number of minority students taking the test," Mr. Hanford said. "This is an encouraging sign since an enlarged population of test takers is often associated with a decline in scores." Since 1973, minority representation among students taking the S.A.T. has risen from 11 percent to 18.3 percent.

While officials of the College Board declined to comment about the possible reasons for the improved minority S.A.T. scores, some experts have attributed the higher scores to such factors as the success of the federal Title I program and a better academic environment in many inner-city schools. —T.T.

Labor, Business Join Forces To Explain Budget Crisis

In an uncommon partnership, labor and business have joined in Washington state to co-sponsor a public-relations effort called "Arm in Arm" that is designed to convince the public of the severity of the state's budget crisis.

The Washington Education Association, the Washington Federation of State Employees, the Weyerhaeuser Company, Pacific Northwest Bell, Rainier Bank, Burlington Northern Railroad, and the Boeing Company are donating $20,000 to enable a Seattle public-relations firm to hold workshops around the state with business representatives and community leaders.

"We want people to understand that this is a real crisis," said Anna Peterson of the Smith and Peterson public-relations agency. "There have been many mixed messages. People hear, 'There's fat in government, just cut,' and then they're told, 'there is no money, and we need to raise taxes.' "

A severe slump in the aerospace and lumber industries and the loss of federal money have combined with the absence of a state income tax, a sales tax exemption on foods, and the repeal of the state inheritance tax to produce a projected 1983-85 budget deficit of $1.7-to-$2 billion dollars, Ms. Peterson said.

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VOTERS go to the polls next week, and their decisions on candidates and issues may have important consequences for education at the state and national level. For a special section on Congressional races and a pre-election summary of local contests by geographic region:

See Pages 11-13.

TEACHERS in Toledo are involved in a new and unorthodox program in which they evaluate their inexperienced colleagues and recommend whether they should be retained or fired. National unions are wary of the practice, but participants say it helps produce better teachers.

See Page 6.

CITIZENS are beginning to care about education again after a long period of apathy, and that could bode well for the nation and its schools, says John Gardner, Chairman of Independent Sector.

See Page 10.

EDUCATION WEEK

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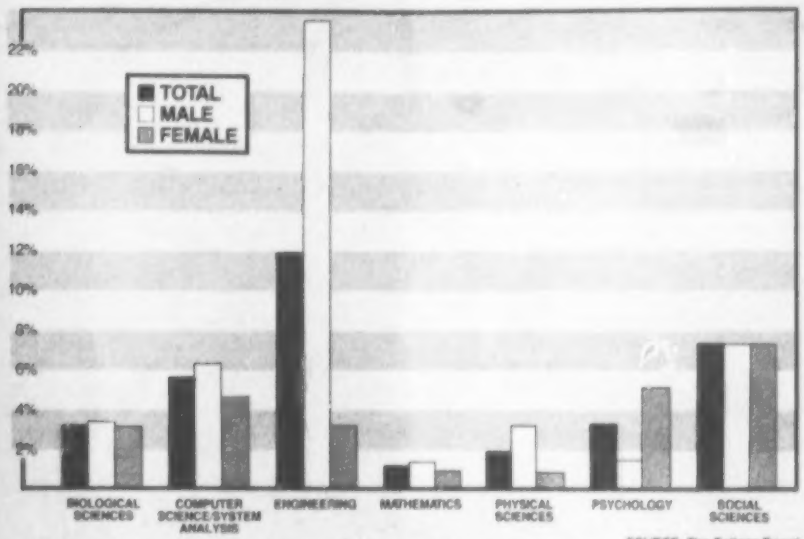

SOURCE: The College Board

College-Bound Seniors and the Sciences, 1979

The degree of interest among students in the sciences is one aspect of science education under study by a National Science Foundation commission. See story on page 8 and related Databank on pages 14 and 15.

High Court Asked To Reassess Stand on State Finance Reform

By Peggy Caldwell

Invoking the U. S. Supreme Court's decision last spring in a Texas case involving the education of illegal aliens, a group of New York school districts this month asked the Justices to review a state high-court decision upholding the state's school-finance law.

Since 1973, when the Supreme Court held in *San Antonio Independent School District* v. *Rodriguez* that education is not a fundamental right guaranteed by the U. S. Constitution, lawyers involved in school-finance reform have held out little hope of obtaining relief in the federal courts and have instead concentrated, with mixed success, on the state courts and legislatures.

But in a June decision, *Plyler* v. *Doe*, the Court found that while education is not a fundamental right, it is more important than other government services and deserves higher status. The state of Texas, the Court found, would have to prove that it had a "compelling interest," rather than the less stringent "rational basis," for denying schooling to the children of illegal aliens.

"I think *Plyler* was probably the deciding factor in making the decision to go forward [with the appeal] in the face of *Rodriguez*," said Daniel P. Levitt, the principal lawyer for 23 New York school districts. "*Plyler* gave us a ray of hope."

Although several state courts have found disparities in districts' per-pupil spending to violate state constitutional provisions, many other state judges have cited *Rodriguez* in upholding such formulas. Recent decisions in Georgia, Colorado, and Michigan relied on the precedent set in *Rodriguez*.

But a Supreme Court reversal of the New York high court's verdict would not necessarily result in reversals of similar verdicts in other states, Mr. Levitt said. "Except for the ones that are still open, somebody would have to file a new suit," he said.

Constitutional Violation

The New York case, *Levittown* v. *Nyquist*, was filed in 1974 by a group of suburban and rural school systems that claimed that the state's school-finance system, by allowing per-pupil expenditures to become largely a function of a district's property wealth, violates the New York and U. S. constitutions. State aid to school districts, which this year will make up about $4.2 billion of the $10 billion spent statewide on elementary and secondary education, is distributed according to formulas that exacerbate the disparities between rich and poor districts, the plaintiffs contend.

The suburban and rural districts were joined in the suit by the school boards of New York City, Buffalo, Rochester, and Syracuse. The city officials developed the theory known as "municipal overburden"—namely, that large cities have such costly obligations for social services and handicapped and disadvantaged children that

Continued on Page 16

Biology Teachers Still Divided on How To Mesh Science With Social Issues

By Susan Walton

DETROIT—Shortly after World War II, a Soviet botanist named T. D. Lysenko began a rise to power within his government that would continue until 1964. The influential Lysenko adhered to the theory, politically useful but unsupported by empirical evidence, that characteristics developed during an organism's lifetime could be inherited by its offspring.

During this period, when Western scientists were using genetic research to develop new strains of crops and livestock, Soviet work in the field was stymied by politics.

That Soviet agriculture has not yet recovered from that era should be a powerful lesson for those who fail to acknowledge the relationship between science and society, said Paul R. Ehrlich, a Stanford University biologist and author of *The Population Bomb*, who spoke at the annual meeting of the National Association of Biology Teachers (N.A.B.T.), held here this month.

Shaping National Destinies

Science is a potent force in shaping national destinies, he said, and a population that does not understand the interplay between science and public policy cannot make the judgments that, increasingly, it will be called upon to make.

Questions about ethics and safety in genetic engineering, for example, have become political as well as scientific issues, participants at the meeting agreed. And acid precipitation, nuclear power, the allocation of scarce resources, and the use of public funds to preserve endangered species are examples of scientific issues that are being resolved through political means.

Continued on Page 17

Seen as Alternative to Tuition Tax Credits

Independent Schools Exploring Private Student-Loan Plans

By Margaret L. Weeks

As national debate continues over the Reagan Administration's tuition tax-credit plan, efforts are under way in the independent-school sector to expand the use of low-cost loans as a means of financing private, precollegiate education.

The concept, its supporters suggest, provides a promising alternative to the controversial federal-aid plan for private-school students.

Now a staple of financial-aid programs in colleges and universities, awarding low-interest loans is a largely new but growing practice in private, college-preparatory schools. But two developing projects are expected by their sponsors to stimulate growth in loan programs in independent schools.

If successful, they say, the efforts could significantly enlarge the scope of private-school student-aid programs.

- One of the programs, Parental Loans for Elementary and Secondary Education, known as PLEASE, is a pilot project of the Massachusetts Higher Education Assistance Corporation (SHEAC), the agency that guarantees loans to the state's college students. PLEASE is currently seeking private financing to underwrite a guaranteed-loan program to be tested in a limited number of independent schools in Massachusetts in the 1983-84 school year. Private lenders would make the loans.
- In December, the National Association of Independent Schools (N.A.I.S.) will launch its Loan Program Information Service to examine and disseminate information on current loan practices among its member schools. Longer-term aims of the program are to establish standards for "good practice" in loan administration and to stimulate new sources of funding.

Those efforts, in conjunction with a $10.5-million foundation grant made earlier this year to increase the size and number of independent-school lending programs, signal growing acceptance of the new concept of financial aid among parents, schools, lending institutions, and charitable givers, according to representatives of both groups.

Continued on Page 16

THE WEEK

A SUMMARY OF NEWS AND EVENTS

In Summary

Protesting a Promotion Policy
Claiming that 1,071 pupils were unfairly held back, members of a civil-rights group in Tuscaloosa, Ala., continued their sit-in at the board of education building for the third week. **Story on Page 4.**

The Perils of Playing Hooky
Lacking funds to pay truancy officers, Hawaii's statewide school district is receiving help from police officers in enforcing a tough compulsory-attendance law—with notable results. **Story on Page 4.**

For Texas, a Texas-Sized Enrollment Increase
In anticipation of 1.6 million more students by the end of this century, the state is considering how it will find the teachers and the facilities to expand its school systems. **Story on Page 4.**

Teachers Judging Teachers
Selected senior teachers in the Toledo school system are evaluating new, inexperienced ones to help decide whether they should be retained or dismissed. **Story on Page 6.**

A Search for Better Teachers
As part of a major evaluation of Connecticut's educational needs and programs, a citizens' task force is studying ways to attract and retain superior teachers. **Story on Page 6.**

Managing Decline
Members of state boards of education at their annual convention discuss with experts and politicians how to maintain educational quality in a period of retrenchment. **Story on Page 7.**

Coping With a 'Crisis'
In its first report, a national commission studying precollegiate science education blames public perceptions and priorities, not the public schools, for the problems. **Story on Page 8.**

Making a Case for the Gifted
Witnesses told the National Commission on Excellence in Education that inadequate federal and state support is forcing schools to give "short shrift" to talented students. **Story on Page 8.**

Preaching What You Practice
A British education minister assures his hosts in the Education Department that there is no correlation between the amount of money spent on schooling and economic progress. **Story on Page 9.**

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National

President Signs Higher-Ed. Aid Bill

Yielding to pressure from the Congress and lobbying groups, President Reagan signed into law earlier this month a bill that establishes a Pell Grant family-contribution schedule for 1983-1984 and 1984-1985 that protects about 1 million needy students from having their Pell Grant aid reduced.

Although the bill, S 2852, provides for no appropriations, it guarantees that about the same number of students who received Pell Grants this year, estimated at almost 2 million, will be eligible to receive maximum grants of $1,800 next year.

The law also contains provisions that give either the House or the Senate the power to veto Education Department rules for Pell Grants and Guaranteed Student Loans.

After making initial cutbacks last year and with many legislators facing reelection this year, Congress has been increasingly insistent that any further cuts in these programs would take away the "safety net" protecting the poor.

The new law also restores benefits to about 50,000 veterans who lost aid last year as a result of new restrictions imposed on students.

E.D. Adds 30 Days For Public Comment On Special-Ed. Rules

The Education Department has extended the public comment period for its proposed regulations for special-education programs and will be issuing a new set of program guidelines next year, according to a department spokesman.

The announcement will be made shortly in the *Federal Register*, along with a detailed description of the six provisions of the proposed regulations that were withdrawn last month by Secretary of Education Terrel H. Bell.

The comment period, which was scheduled to expire Nov. 2, will continue until Dec. 2.

Judge Warns Against Possible Contempt In Federal Draft Case

A federal district judge in Los Angeles has threatened to hold federal attorneys in contempt if they continue to mock the way he is handling the trial of an alleged draft-registration resister.

U. S. District Judge Terry J. Hatter Jr. said last week that the language contained in a Justice Department refusal to provide him with confidential documents regarding federal government plans to prosecute nonregistrants was "uncalled for." He added that he would hold a contempt hearing after the trial if federal attorneys failed to tone down their language.

Judge Hatter is hearing the case of David Wayte, a 21-year-old college student from Pasadena. The judge has asked the federal government to prove that it has not unfairly chosen to prosecute Mr. Wayte as a result of his belligerent stance against registration. He has also asked the Presidential counselor, Edwin Meese 3d, to testify.

In related developments:

- A federal district judge in Cleveland last week sentenced convicted draft-registration resister Mark Schmucker to two years of public service in a hospital for the mentally retarded. Mr. Schmucker, a 22-year-old student at Goshen College, a Mennonite institution, was also placed on three years probation and ordered to pay a $4,000 fine.
- A task force created by President Reagan last year to investigate the nation's military manpower situation reported last week that the nation's volunteer army is working, and that the armed forces can achieve their goal of expanding military ranks by 188,000 men within the next five years without a draft.

Consumers Union Joins With E.P.I.E In Computer Project

Consumers Union, the nonprofit organization that evaluates consumer goods and publishes the results in a monthly magazine, has for the first time joined forces with another group to conduct a study of educational computers and related products.

The Educational Products Information Exchange, which evaluates products in the education market, joined C.U. in announcing the project last Thursday in Los Angeles.

The two groups have worked together for the last 10 months. E.P.I.E.'s executive director, P. Kenneth Komoski, says they have already evaluated most of the education systems on the market.

The groups got their biggest financial boost days before they announced their partnership, when the Ford Foundation awarded them a $300,000 grant. The project has been operating on other grants.

School districts are in danger of buying equipment that is of little practical value, technically faulty, or unable to adapt to new developments in computers, said Mr. Komoski.

"There is a big discrepancy in what is capable of being delivered and what is now being pumped in [to the marketplace]," he said.

The two groups have prepared reports, concerning computer systems and software, that school districts will be able to buy starting next month. Mr. Komoski said he expects more than 10 percent of the nation's districts to subscribe to the evaluation service within a year.

Mr. Komoski said the two organizations hope to create a network among educators that will "hold computer firms accountable for what they produce."

Richard Cross, Consumers Union's executive director, joined Mr. Komoski in making the announcement in Los Angeles.

States

N. J. Prayer Bill Awaiting Decision Of Governor Kean

New Jersey public-school students would be offered a minute of silence at the beginning of each school day under legislation passed by the State Senate last week.

The bill, passed by a vote of 30 to 5, originated in the State Assembly, where it was approved last May. It calls for the one-minute period to be used for "quiet and private contemplation or introspection."

As of last week, however, it was unclear whether Gov. Thomas H. Kean would sign the legislation.

"The bill is being reviewed carefully for its constitutionality by our counsel's office," said Paul Walcott, a spokesman for the Governor.

A series of court decisons beginning in 1962 has found that any form of organized prayer in schools is unconstitutional.

The New Jersey School Boards Association has said the bill is unnecessary and possibly unconstitutional. And the American Civil Liberties Union opposes it.

"Some of the comments made during the Senate debate in support of the bill were absolutely ridiculous," said Marianne Rhodes, associate director of governmental relations for the school-boards association. "Some [senators] were saying that the bill would bring faith in our creator back to the schools."

Virginia A.C.L.U. Plans To Challenge Bible-Study Classes

The Virginia chapter of the American Civil Liberties Union will soon file at least one lawsuit, and possibly two, challenging Bible-education courses in public schools in the state.

Judy Goldberg, associate director of the Virginia A.C.L.U., said that the organization will definitely file a suit against the Bristol school district, and "possibly one in Shenandoah County."

"We have noticed a marked increase over the past 12 months in complaints about things ranging from straightforward praying to religious instruction during school on school time," Ms. Goldberg said.

"We've been getting two or three complaints a month," she added.

DATABANK

The Status of Science Education: A Statistical View

The graphs and tables on these pages were prepared by the National Science Foundation for use by its blue-ribbon Commission on Precollege Education in Mathematics, Science, and Technology. Compiled from a variety of sources and published in a 215-page softcover volume entitled Science and Engineering Education: Data and Information, *these and other statistics on students, teachers, funding, and attitudes figured in this month's meeting of the commission.* (See story on page 8.)

The information, says N.S.F., is designed to give the commissioners "a 'baseline' of facts about the status of science and engineering education at this time." While the source book was not printed for wide distribution, a limited number of single copies is available from N.S.F., according to a spokesman.

Requests may be addressed to: Publications Office, National Science Foundation, Washington, D. C. 20550.

K-12 Mathematics, Science, and Social Studies Teachers' Perceptions of Problem Areas

	Mathematics				Science				Social Studies			
Factor	Serious Problem	Somewhat of a Problem	Not a Significant Problem	Missing	Serious Problem	Somewhat of a Problem	Not a Significant Problem	Missing	Serious Problem	Somewhat of a Problem	Not a Significant Problem	Missing
Belief that this subject is less important than other subjects	2	15	83	1	7	39	51	3	11	39	47	2
Compliance with federal regulations	1	8	88	2	3	14	74	9	3	13	81	4
Inadequate facilities	5	32	62	2	26	42	29	2	12	35	50	3
Insufficient funds for purchasing equipment and supplies	13	39	46	2	28	38	31	4	23	38	37	2
Lack of materials for individualizing instruction	18	42	39	1	29	39	29	3	29	43	27	2
Out-of-date teaching materials	8	25	65	2	13	31	52	4	19	34	45	2
Insufficient numbers of textbooks	4	13	82	1	9	15	71	5	12	20	66	2
Lack of student interest in subject	14	36	49	2	9	32	55	4	12	42	44	2
Inadequate student reading abilities	24	47	28	1	24	43	29	4	32	44	21	2
Lack of teacher interest in subject	3	13	84	1	4	6	82	5	4	21	73	2
Teachers inadequately prepared to teach subject	4	17	78	1	6	36	53	5	4	22	72	2
Lack of teacher planning time	11	32	55	2	18	38	40	4	16	31	52	2
Not enough time to teach subject	4	15	70	1	15	33	50	2	11	30	57	2
Class sizes too large	19	38	42	1	15	34	49	3	16	31	49	3
Difficulty in maintaining discipline	8	28	63	1	5	24	68	3	5	23	70	2
Inadequate articulation of instruction across grade levels	9	34	55	2	9	40	45	6	11	37	50	3
Inadequate diversity of electives	5	21	69	6	6	29	54	9	10	28	57	5
Low enrollments in courses	3	10	82	6	3	11	77	9	2	10	82	7
Sample N	1,972				1,679				1,678			

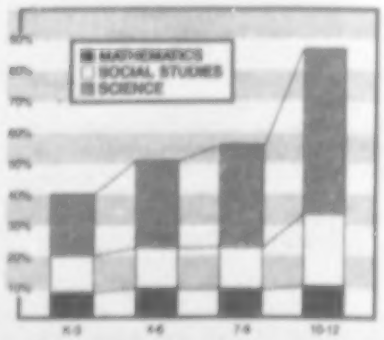
SOURCE: Weiss, Iris R., *Report of the 1977 National Survey of Science, Mathematics, and Social Studies Education.*

Number and Percent of College-Bound Seniors Who Took An Honors Course, By Subject, 1980-81

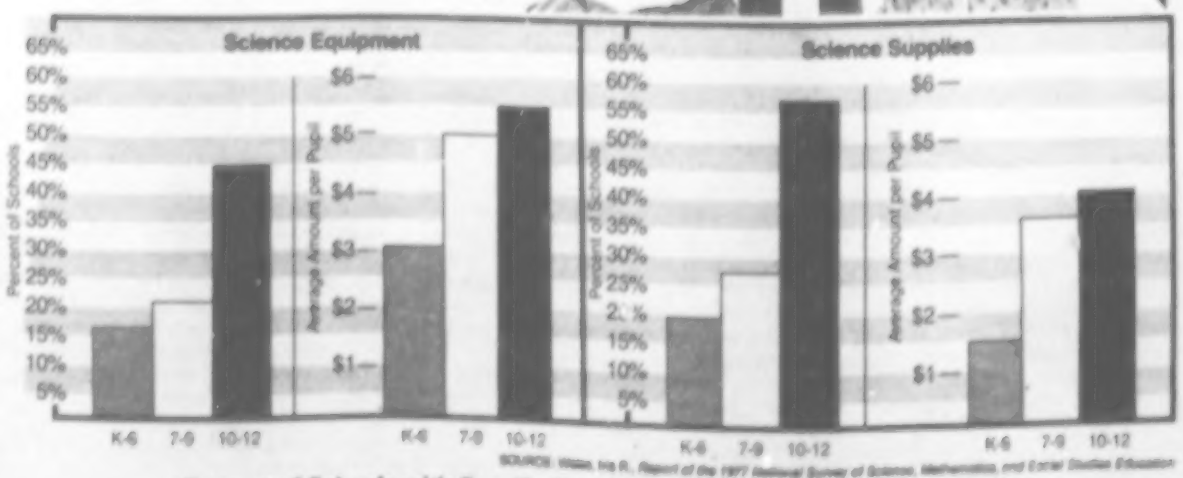
Honors Courses	English	Mathematics	Foreign Languages	Biological Sciences	Physical Sciences	Social Studies
Number who took an honors course, by subject	138,706	129,565	56,930	81,747	80,476	82,598
Number who took a regular course, by subject	786,944	795,632	753,611	803,639	754,843	838,485
Total	925,650	925,197	810,541	885,386	835,319	921,083
Percent who took honors courses	14.8	14.0	7.0	9.2	9.6	9.0

SOURCE: The College Board

Percent of Teachers Using Federally Funded Curriculum Materials in Each Subject



SOURCE: Weiss, Iris R., *Report of the 1977 National Survey of Science, Mathematics, and Social Studies Education*



SOURCE: Weiss, Iris R., *Report of the 1977 National Survey of Science, Mathematics, and Social Studies Education*

Percent of Schools with Specific Budgets for Science Equipment and Supplies, And Average Amounts of These Budgets per Pupil, By Grade Range